

In re:  
Denise Lorraine West  
DebtorCase No. 14-11981-mdc  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0313-2

User: YvetteWD  
Form ID: pdf900Page 1 of 1  
Total Noticed: 1

Date Rcvd: Dec 07, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 09, 2017.

db +Denise Lorraine West, 122 Elm Ave, Ardmore, PA 19003-2144

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.****Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 09, 2017

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 7, 2017 at the address(es) listed below:

BRIAN CRAIG NICHOLAS on behalf of Creditor Ditech Financial LLC bnicholas@kmllawgroup.com, bkgroup@kmllawgroup.com  
 CELINE P. DERKRIKORIAN on behalf of Creditor EverBank ecfmail@mwc-law.com  
 CELINE P. DERKRIKORIAN on behalf of Creditor Green Tree Servicing LLC ecfmail@mwc-law.com  
 CELINE P. DERKRIKORIAN on behalf of Creditor Ditech Financial LLC ecfmail@mwc-law.com  
 GEORGETTE MILLER on behalf of Debtor Denise Lorraine West info@georgettemillerlaw.com, georgettemillerlaw@gmail.com;mlee@georgettemillerlaw.com;gmecfmail@gmail.com;cfink@georgettemillerlaw.com;r50524@notify.bestcase.com  
 PETER J. ASHCROFT on behalf of Creditor Ditech Financial LLC pashcroft@bernssteinlaw.com, ckutch@ecf.courtdrive.com;acarr@bernssteinlaw.com  
 THOMAS I. PULEO on behalf of Creditor Ditech Financial LLC tpuleo@kmllawgroup.com, bkgroup@kmllawgroup.com  
 United States Trustee USTPRegion03.PH.ECF@usdoj.gov  
 WILLIAM C. MILLER, Esq. ecfemails@ph13trustee.com, philaecf@gmail.com

TOTAL: 9

**NITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

In re: : Chapter 13  
Denise Lorraine West, :  
Debtor. : Bankruptcy No. 14-11981-MDC

**O R D E R**

**AND NOW**, pursuant to the Supplemental Application for Compensation and Reimbursement of Expenses (the “Supplemental Application”)<sup>1</sup> filed by the Law Offices of Georgette Miller (the “Applicant”), counsel to Denise Lorraine West (the “Debtor”), the Applicant requests the allowance of compensation in the amount of \$6,850.00 and the reimbursement of expenses in the amount \$0.00.

**AND**, the Applicant filed a certification that proper service has been made on all interested parties.

**AND**, the Applicant filed a certification of no response.

**AND**, the Applicant was previously paid \$250.00 by the Debtor (the “Pre-Paid Amount”).

**AND**, on June 2, 2015, this Court entered an Order<sup>2</sup> approving Applicant’s initial Application for Compensation and Reimbursement of Expenses,<sup>3</sup> which requested payment in the amount of \$3,250.00, of which \$3,000.00 was to be paid under the plan.

**AND**, this Court entered an Order dated November 30, 2017 (the “Modification Order”),<sup>4</sup> granting the Debtor’s Motion to Modify Plan dated August 2, 2017, for a modified plan filed on October 2, 2017 (the “Plan”).<sup>5</sup>

---

<sup>1</sup> Bankr. Docket No. 94.

<sup>2</sup> Bankr. Docket No. 39.

<sup>3</sup> Bankr. Docket No. 36.

<sup>4</sup> Bankr. Docket No. 105.

<sup>5</sup> Bankr. Docket No. 101.

**AND**, the Plan provided for Administrative Expenses detailed as: "(2) Attorney's Fee (unpaid portion): \$3,000.00 to be paid through plan in monthly payments; (3) Supplemental Fee (unpaid portion): \$3,300 to be paid through plan." Plan, ¶4A.

**AND**, a confirmation order precludes the relitigation of any issues that were determined by the confirmation order. *In re Szostek*, 886 F.2d 1405, 1408-09 (3d Cir. 1989); *In re McDuffie*, Bky. No. 03-65333, 2005 WL 3108234, \*1 (Bankr. D. Md. Feb. 22, 2005) ("since no amendment to the plan was filed to increase the specific amount to be paid to counsel, the court cannot order payment through the plan as an administrative expense."); *In re Lasica*, 294 B.R. 718, 722 (Bankr. N.D. Ill. 2003) (denying fee request because applicant was bound by terms of previously confirmed Chapter 13 plan); *In re Young*, 285 B.R. 168, 174-75 (Bankr. D. Md. 2002) ("the confirmation of the plan, in which a specific amount of disbursement to counsel for the debtor as attorney's fees was required, acted as a final adjudication of the matters set forth in the plan.").

It is hereby **ORDERED** that:

1. The Application is **GRANTED IN PART** and **DENIED IN PART**.
2. Consistent with the Modification Order, compensation is allowed in favor of the Applicant in the total amount of \$6,550.00 and reimbursement of expenses is allowed in favor of the Applicant in the amount of \$0.00 (the "Allowed Compensation and Expenses"). *See* L.B.R. 2016-1(f) (governing procedure for disposition of fee applications without a hearing).
3. The Trustee is authorized to distribute to the Applicant the Allowed Compensation and Expenses less the Pre-Paid Amount as an administrative expense pursuant to 11 U.S.C. §§330, 331, 503(b).

Dated: December 6, 2017

Georgette Miller, Esquire  
Law Office of Georgette Miller Esq. PC  
335 Evesham Avenue  
Lawnside, NJ 08045



---

MAGDELINE D. COLEMAN  
UNITED STATES BANKRUPTCY JUDGE

William C. Miller, Esquire  
Chapter 13 Trustee  
1234 Market Street, Suite 1813  
Philadelphia, PA 19107

United States Trustee  
833 Chestnut Street, Suite 500  
Philadelphia, PA 19107